

424 Rec'd PCT/PTO 21 JUL 2000

CERTIFICATE OF MAILING (37 CFR 1.10) Label No. EE068532546US.

I hereby certify that the attached papers or fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date shown below in an envelope addressed to:
Box PCT, Assistant Commissioner for Patents, Washington, DC 20231.

July 21, 2000
(Date)

Mary Rutkowski
(Printed Name)

Mary Rutkowski
(Signature)

Docket No. MOG 57701/UST

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application of: Maarten Hendrik STUIVER et al.

Serial Number: 09/581,331

Group Art Unit: Not Assigned

Filed: June 9, 2000

Examiner: Not Assigned

For: Constitutive Plant Promoters

Attention: Box PCT
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

TRANSMITTAL OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

1. This is in response to a **Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)** mailed July 11, 2000, the time for a response is set to expire on August 11, 2000.

2. Enclosed are:

- ☒ Form PTO/DO/EO/905: Copy to be returned with Response.
- ☒ Declaration and Power of Attorney.
- ☐ Associate Power of Attorney.
- ☐ Petition for Extension of Time under 37 CFR 1.136(a).
- ☐ A certified copy of
- ☐ Information Disclosure Statement
- ☐ Other (specify)_____.

3. The required fee is calculated as follows:

- ☒ Surcharge of \$130.00 under 37 CFR 1.492(e).

	No. Filed		No. Extra	Rate	Fee
BASIC FEE					\$690.00
Total Claims		- 20 =		x \$18 =	
Indep. Claims		- 3 =		x \$78 =	
Mult. Dep. Claims				\$260 =	
				TOTAL FILING FEE	
Less: fee previously paid					
Net filing fee plus surcharge					

☐ Extension of time under 37 CFR 1.17

() One Month \$ 110
() Two Months 380
() Three Months 870
() Four Months 1,360
() Five Months 1,850

Total fee \$ 130.00

4. ☒ The total fee **\$130.00**

☐ is enclosed.

☒ should be charged to **Deposit Account No. 09-0013**. This sheet is enclosed in duplicate.

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to Deposit Account No. 09-0013. This sheet is enclosed in duplicate.

Respectfully submitted,
ZENECA Ag Products Inc.

Dated: *July 21, 2000*

Liza B. Hohenschutz
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

JUL 2000 LDH

U.S. APPLICATION NO. 09/581331	FIRST NAMED APPLICANT STUIVER	ATTY. DOCKET NO. M MOG 57701/US-7
INTERNATIONAL APPLICATION NO. PCT/EP98/08162		
I.A. FILING DATE 10 DEC 98		
PRIORITY DATE 12 DEC 97		
DATE MAILED: 11 JUL 2000		

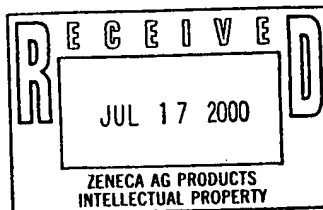
Zeneca Ag Products
1800 Concord Pike
P.O. Box 15458
Wilmington, DE 19850 5458

Declaration
8/11/00
ESP du 11/10/01

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 09 JUNE 2000 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Translation of the Annexes **MUST** be submitted within one month of the filing date of the application. Applicant must submit the additional claim fees or cancel the additional claims for which fees are

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:
☐ PCT/DO/EO/917
☐ PTO-875
FORM PCT/DO/EO/905 (December 1997)

☐ Notice of Defective Translation

CHRISTINE WASHINGTON
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